

Translation

PATENT COOPERATION TREATY

PCT/EP2003/012689



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference Az. 3463	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/012689	International filing date (day/month/year) 13 November 2003 (13.11.2003)	Priority date (day/month/year) 04 December 2002 (04.12.2002)
International Patent Classification (IPC) or national classification and IPC H01L 21/306, 21/00		
Applicant SCP GERMANY GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>3</u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 02 July 2004 (02.07.2004)	Date of completion of this report 01 April 2005 (01.04.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/012689

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____ 1-18 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____ 1-13 _____, filed with the letter of _____ 28 February 2005 (28.02.2005)
- ☒ the drawings:
 pages _____ 1/5-5/5 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

- These elements were available or furnished to this Authority in the following language _____ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☒ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 03/12689

I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

...5...

The newly submitted claims 8 and 9 do not meet the requirements of PCT Article 34(2)(b) because they go beyond the disclosure in the application as originally filed.

The submitted version discloses the formation of the gas mixture by introducing a predetermined quantity of the carrier gas and a predetermined quantity of a fluid of the active component into an evaporator as an alternative to, and not in conjunction with, formation by conducting the carrier gas through a fluid.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 03/12689

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-7, 10-13	YES
	Claims		NO
Inventive step (IS)	Claims	1-7, 10-13	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-7, 10-13	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following document:

D1: US-A-6 045 621 (MOHINDRA RAJ ET AL) 4 April 2000
(2000-04-04)

2. Document D1 is considered the prior art closest to the subject matter of claim 1 and discloses (the references between parentheses refer to that document) a:

method for drying substrates, in particular semiconductor wafers, following wet treatment in a treatment fluid, in which method a gas mixture which consists of a carrier gas and an active component and which reduces the surface tension of the treatment fluid is applied to the treatment fluid (column 12, lines 27 to 46) and the substrates, by producing a relative motion between the substrates and the fluid, are moved out of the fluid (column 12, line 57 to column 13, line 12), the carrier gas and active component mixture being formed by conducting the carrier gas through a fluid of the active component (column 6, line 57 to column 7,

line 7).

The subject matter of claim 1 thus differs from the method known from D1 in that the concentration of the active component in the gas mixture is actively controlled or regulated and the temperature of the active component fluid is controlled or regulated in line with a predetermined temperature.

The subject matter of claim 1 is thus novel (PCT Article 33(2)).

3. The present invention can therefore be considered to address the problem of preventing undesirable changes in the active component concentration in the gas mixture, which occur as a result of cooling of the active component fluid during the mixing procedure.

The solution proposed in claim 1, that is the temperature control of the active component fluid, cannot be found in document D1 and is not suggested by that or any other relevant document. The subject matter of claim 1 thus involves an inventive step (PCT Article 33(3)).

4. Claims 2 to 13 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.